

Atty Dkt. No.: CNVG-007CON2  
USSN: 10/613,593

### **REMARKS**

In view of the following remarks, the Examiner is requested to allow Claims 34, 35, 56 and 57, the only claims pending and under examination in this application.

#### ***Terminal Disclaimer***

Claims 34, 35, 56 and 57 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-45 of U.S. Patent No. 6,972,023 and Claims 1-45 of U.S. Patent No. 6,858,035.

A terminal disclaimer with respect to U.S. Patent No. 6,972,023 was filed March 10, 2006 (a copy of which is provided).

Additionally, filed herewith is the requisite terminal disclaimer with respect to U.S. Patent No. 6,858,035, in view of which Applicant respectfully requests these rejections be withdrawn.

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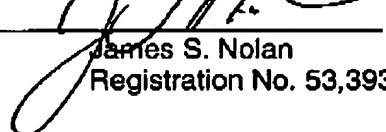
**CONCLUSION**

The Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone James Nolan at (650) 833-7740.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number CNVG-007CON2.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: June 8, 2006

By:   
James S. Nolan  
Registration No. 53,393

Enclosure(s): Terminal Disclaimers as to U.S. Patent Nos. 6,972,023 and 6,858,035

BOZICEVIC, FIELD & FRANCIS LLP  
1900 University Avenue, Suite 200  
East Palo Alto, California 94303  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

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